

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-361-T - ORDER NO. 2009-364

JUNE 9, 2009

|  |                       |
|--|-----------------------|
| IN RE: Application of Jamie Boris d/b/a Gentle | ) ORDER GRANTING      |
| Movers for a Class E (Household Goods)         | ) CLASS "E" MOTOR     |
| Certificate of Public Convenience and          | ) CARRIER CERTIFICATE |
| Necessity for the Operation of a Motor         | ) OF PUBLIC           |
| Vehicle Carrier                                | ) CONVENIENCE AND     |
|  | ) NECESSITY           |

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of Jamie Boris d/b/a Gentle Movers ("Boris" or "Applicant") for a Class E (Household Goods) Certificate of Public Convenience and Necessity. Boris is seeking authority to move household goods in Charleston, Berkeley, and Dorchester Counties. Pursuant to 26 S.C. Code Ann. Regs. 103-821(C)(3)(a), the Applicant published notice of filing in *The Post and Courier* newspaper on October 4, 2008. No parties intervened, and hearings on the Application were held on March 3, 2009, and May 26, 2009, in the offices of the Commission.

The parties at the hearing included the Applicant, Jamie Boris, and the Office of Regulatory Staff ("ORS"), represented by Shealy Boland Reibold, Esquire. During the March 3, 2009 hearing, Boris testified to his prior experience moving household goods and that he was aware of and intended to comply with the Commission's regulations concerning household goods movers. George Parker, manager of the ORS Transportation Department, testified that he found Boris's application to be in order. Mr.

Parker also stated that he performed an inspection and found Applicant's equipment to be acceptable. After the conclusion of the March 3, 2009 hearing, the Commission invited Boris back for a hearing on May 26, 2009, to more fully inform the Commissioners of his business plan, knowledge of safety regulations, and the administrative requirements for operating a moving business.

Since the information shared by Boris at the May 26, 2009 hearing has shed more light on Boris's Application, the Commission now finds the Application to be in order and concludes that Boris has met his burden of proof. Additionally, we conclude that the Applicant has demonstrated that he is fit, willing, and able to operate as a household goods mover between points and places in Charleston, Berkeley, and Dorchester Counties pursuant to S.C. Code Ann. § 58-23-330 (Supp. 2008) and 26 S.C. Code Ann. Regs. 103-133 (Supp. 2008). Furthermore, we find that the public convenience and necessity is not already being served by existing authorized service. Therefore, the Application of Jamie Boris d/b/a Gentle Movers should be granted.

IT IS THEREFORE ORDERED:

1. The Application of Jamie Boris d/b/a Gentle Movers for a Class E Certificate of Public Convenience and Necessity is approved for the Applicant to transport household goods between points and places in Charleston, Berkeley, and Dorchester Counties.

2. Jamie Boris shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through

103-241 of the Commission's Rules and Regulations for Motor Carriers, as amended, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

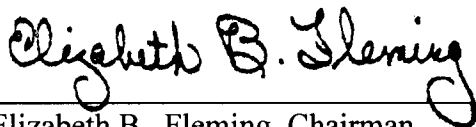
3. Upon compliance with S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (1976), as amended, a Certificate shall be issued by the Office of Regulatory Staff authorizing the motor carrier services granted herein.

4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized by this Order shall not be provided.

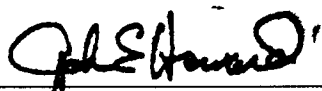
5. Failure of the Applicant to either (1) complete the certification process by complying with the Office of Regulatory Staff requirements of causing to be filed with the Commission proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in the Order being revoked.

6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman

(SEAL)